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19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21 SAN FRANCISCO DIVISION

22 WAYMO LLC,  
23 Plaintiff,  
24 v.  
25 UBER TECHNOLOGIES, INC.,  
26 OTTOMOTTO LLC; OTTO TRUCKING LLC,  
27 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE  
YANG IN SUPPORT OF PLAINTIFF'S  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL ITS OPPOSITION  
TO DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT (DKT. 1526)**

I, Michelle Yang, declare as follows:

1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Plaintiff's Administrative Motion to File under Seal Its Opposition to Defendants' Motion for Summary Judgment (Dkt. 1526).

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal
Waymo's Opposition to Defendants' Motion for Summary Judgment ("Opposition")	Red Boxes
Exhibit 1	Entirety
Exhibit 3	Entirety
Exhibit 9	Entirety
Exhibit 12	Entirety
Exhibit 13	Entirety
Exhibit 18	Entirety
Exhibit 25	Blue-Highlighted Portions
Exhibit 26	Red Boxes
Exhibit 27	Entirety
Exhibit 28	Blue-Highlighted Portions
Exhibit 29	Red Boxes
Exhibit 30	Red Boxes
Exhibit 31	Entirety

3. The red boxes on pages 1-13 of the Opposition, the entireties of Exhibits 3, 12, 13, and the blue-highlighted portions of Exhibit 25 and Exhibit 28 contain highly confidential

1 information regarding the technical features and development of technical features of Uber's  
2 LiDAR systems. This highly confidential information is not publicly known, and its  
3 confidentiality is strictly maintained. I understand that disclosure of this information could allow  
4 competitors to obtain a competitive advantage over Uber through insight into the technical  
5 features and design considerations of Uber's LiDAR, such that they could tailor their own LiDAR  
6 development. Uber's competitive standing could be significantly harmed.

7 4. The entireties of Exhibits 1, 9, and 27 are selected excerpts from expert reports  
8 containing highly confidential information regarding the technical features and specifications of  
9 Uber's LiDAR systems. This highly confidential information is not publicly known, and its  
10 confidentiality is strictly maintained. I understand that disclosure of this information could allow  
11 competitors to obtain a competitive advantage over Uber through insight into the technical  
12 features of Uber's LiDAR sensors, such that they could tailor their own LiDAR development.  
13 Uber's competitive standing could be significantly harmed.

14 5. The entirety of Exhibit 18 contains highly confidential information regarding the  
15 technical features, development details, and design considerations regarding Uber's LiDAR  
16 sensors, as well as the identity of a confidential third party vendor and purchase order terms. This  
17 highly confidential information is not publicly known, and its confidentiality is strictly  
18 maintained. I understand that disclosure of this information would allow Uber's competitors to  
19 obtain a competitive advantage through understanding technical information and supply  
20 information relating to Uber's LiDAR, such that they can tailor their own LiDAR development  
21 and Uber's competitive standing could be significantly harmed.

22 6. The red boxes on pages 19-23 of the Opposition and the red boxes in Exhibits 26,  
23 29, and 30, as well as the entirety of Exhibit 31, contain highly confidential information regarding  
24 various business agreements, including detailed terms and conditions such as the specific  
25 obligations and responsibilities of each party and highly confidential financial details. This  
26 information is not publicly known, and its confidentiality is strictly maintained. I understand that  
27 disclosure of this information could allow competitors and counterparties to gain insight into how  
28

1 Uber structures its business agreements, including specific financial terms, allowing them to tailor  
2 their own negotiation or business strategy to the detriment of Uber.

3 7. Defendants' request to seal is narrowly tailored to the portions of Waymo's Brief  
4 and its supporting papers that merit sealing.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed this  
6 18th day of September, 2017 in San Francisco, California.

7  
8 /s/ Michelle Yang

Michelle Yang

9  
10  
11 **ATTESTATION OF E-FILED SIGNATURE**

12 I, Arturo J. Gonzalez, am the ECF User whose ID and password are being used to file this  
13 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has  
14 concurred in this filing.

15 Dated: September 18, 2017

16 /s/ Arturo J. Gonzalez

ARTURO J. GONZALEZ